



ENVIRONMENTAL SERVICES DEPARTMENT  
Air Quality Division  
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## NOTICE OF INFORMAL STAKEHOLDER WORKSHOPS / ORAL PROCEEDINGS/ PUBLIC HEARINGS Second Quarter 2003

Maricopa County Environmental Services Department, Air Quality Division, will conduct Informal Stakeholder Workshops, Oral Proceedings and Public Hearings regarding the Maricopa County Air Pollution Control Regulations according to the schedule provided in this notice. If the information in this notice changes, the change(s) will be announced on the Internet (at the web site address listed below) and on Maricopa County's Workshop Update Line (listed below).

All **Workshops** and **Oral Proceedings** will be held at 1001 North Central Avenue, Phoenix, Arizona, **Room 560** unless otherwise noted. Draft rules may be picked up at 1001 North Central Avenue, **Suite #201**, Phoenix, Arizona, or on the web at <http://www.maricopa.gov/envsvc/air/workshops.asp>.

For current information on workshop times and locations, call our Workshop Update Line at **(602) 506-0169**. For questions or additional information, call the contact person listed or **(602) 506-4057**.

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**Public Hearings** are held at: Maricopa County Board of Supervisors' Auditorium  
205 West Jefferson Street, Phoenix, Arizona

For rules going to public hearing, a summary of the proposed action, a summary of comments and departmental responses and a demonstration of compliance with A.R.S. 49 Subpart 112 A or 112 B will be available along with the draft rules at 1001 North Central Avenue, **Suite #201**, Phoenix, Arizona.

**Rules are effective as of the date of approval by the Board of Supervisors unless an effective date for certain revisions is otherwise noted within the text of the rule.**

A sign language interpreter, alternative form materials, or infrared assistive listening devices will be made available at the Public Workshops and Hearings upon request with 72 hours notice. Additional reasonable accommodations will be made available to the extent possible within the time frame of the request. Requests should be made to (602) 506-4057.

### Maricopa County Air Quality Division Rule Writer Contacts:

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**April-June 2003  
INFORMAL STAKEHOLDER WORKSHOPS**

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<b>RULE/TITLE</b>	<b>DRAFT AVAILABLE</b>	<b>WORKSHOP DATE</b>	<b>TIME</b>	<b>COMMENTS DUE</b>	<b>CONTACT</b>
310, Fugitive Dust Sources	4/10/03	4/17/03	9:00 AM	4/25/03	Townsend
358, Polystyrene Foam Operations	4/8/03	4/17/03	1:30 PM	5/2/03	Kramer-Howe
319, Ginning Operations	5/1/03	5/15/03	9:00 AM	5/30/03	Nelson
310, Fugitive Dust Sources	5/8/03	5/15/03	1:30 PM	5/23/03	Townsend

**April-June 2003  
ORAL PROCEEDINGS**

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<b>RULE/TITLE</b>	<b>PROCEEDING DATE</b>	<b>TIME</b>	<b>CONTACT</b>
324, Stationary Internal Combustion Equipment	6/26/03	9:00 AM	Nelson

**April-June 2003  
PUBLIC HEARINGS**

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<b>RULE/TITLE</b>	<b>HEARING DATE</b>	<b>TIME</b>	<b>CONTACT</b>
204, Emission Reduction Credits for the Arizona Emissions Bank 210, Title V Permit Provisions 220, Non-Title V Permit Provisions 240, Permits for New Major Sources and Major Modifications to Existing Major Sources	5/7/03 (TENTATIVE)	9:00 AM	Townsend
280, Fees	5/7/03 (TENTATIVE)	9:00 AM	Crumbaker
311, Particulate Matter from Process Industries 320, Odors and Gaseous Air Contaminants 322, Power Plant Operations 323, Fossil Fuel Burning Combustion Equipment from Industrial/ Commercial- Institutional Sources	6/4/03 (TENTATIVE)	9:00 AM	Nelson
312, Abrasive Blasting	6/18/03 (TENTATIVE)	9:00 AM	Schindler

**Informal Stakeholder Workshops, Oral Proceedings and Public Hearings are subject to change. Please call 602-506-0169 or go to <http://www.maricopa.gov/envsvc/air/workshops.asp> for updates.**

**REVISIONS TO BE DISCUSSED AT INFORMAL STAKEHOLDER WORKSHOPS:**

**Rule 310 (Fugitive Dust Sources)**

Rule 310 is Maricopa County's rule for controlling fugitive dust emissions. The rule will be opened in order to improve clarity, fix typographical and formatting errors, and incorporate revised test methods. Additionally some standards will be changed; examples include: providing an affirmative defense for site operators with respect to untarped haul loads and

requiring disclosure of soil types for earthmoving permits. Revisions to this rule also address enforceability concerns identified by the Environmental Protection Agency in its approval of the serious area PM10 plan.

Public Workshop #1 – April 17, draft available April 10.

Public Workshop #2 – May 15, draft available May 8.

NPR published tentatively June 27; formal public comment period opens June 27.

#### **Rule 358 (Polystyrene Foam Operations)**

Section 182(a)(2)(A) of the Clean Air Act requires that Reasonably Available Control Technology (RACT) be applied in all ozone nonattainment areas to reduce volatile organic compound (VOC) emissions from each stationary facility that is a *major source* of VOC emissions. Maricopa County has identified four facilities that expand polystyrene (EPS) to make foam products and are major stationary sources of VOC. Maricopa County proposes that a new rule, Rule 358, require these facilities to choose from specific reasonably available control technologies currently used at EPS facilities within air districts in another southwest state, while also taking into account factors specific to Maricopa County.

We have analyzed the cost effectiveness of installing and using modern pollution-control devices and methods such as are used in other air-districts. These analyses show it is reasonable to set emission standards at levels that will require each major source both to select from these methods and to purchase some of these devices to attain the standards.

#### **Rule 319 (Ginning Operations)**

Maricopa County will reopen Rule 319, Ginning Operations, in order to amend three sections. Section 402, "Control Equipment Compliance Schedule" will be changed by the addition of specific compliance plan documentation such as the listing of dates reflecting milestones and a design scheme. Section 502, "Flow Maintenance Evaluations" will be amended to reflect the numerical design velocities for both types of cyclones and to list the types of instruments that an owner or operator may use to test the static pressure readings. The County will also change the definitions of "Low and High Pressure Exhausts" in Section 200 to "Lint Handling Systems Exhaust" and "Seed Cotton Handling And Trash Systems."

### **RULE SUMMARY FOR ORAL PROCEEDING:**

#### **Rule 324 (Stationary Internal Combustion Equipment)**

The department has scheduled an oral proceeding for Rule 324, Stationary Internal Combustion Engines, upon submitting the Notice of Proposed Rulemaking to the Secretary of State's office for publication in the Arizona Administrative Register. The rule is being proposed due to deletion of the fuel burning equation in Section 304 of Rule 311 (revised Rules 311 and 320 are scheduled for approval by the Board of Supervisors on June 4, 2003). New Rule 324 will address reciprocating engines greater than 50 bhp and will contain provisions for usage of low sulfur fuel, tune-ups, numerical standards for nitrogen oxide and carbon monoxide, opacity and recordkeeping provisions.

### **PUBLIC HEARING:**

#### **Rule 204 (Emission Reduction Credits for the Arizona Emissions Bank)**

##### **Rule 210 (Title V Permit Provisions)**

##### **Rule 220 (Non-Title V Permit Provisions)**

#### **Rule 240 (Permits for New Major Sources and Major Modifications to Existing Major Sources)**

The emissions bank rule package includes new rule 204 and amendments to existing rules 210, 220, 240. The rule package implements a proposed delegation agreement from the ADEQ to Maricopa County to establish procedures for the certification and utilization of emission reduction credits for use with the Arizona emissions bank. Rule 204 encompasses emission reduction credit certification and utilization procedures. The changes to rules 210 and 220 establish public notice procedures for non-Title V and Title V sources when emission reduction credits are generated or used in permit applications. The change to rule 240 allows source shut downs to generate emission reduction credits.

Public hearing before the board of supervisors will be held tentatively on May 7.

#### **Rule 280 (Fees)**

Maricopa County Environmental Services Department (MCESD) is proposing to revise Rule 280 (Fees) to be effective July 1, 2003. MCESD completed the first phase of the reanalysis of the air quality fees in 1998. Since 1998, MCESD has been working on the second phase of the project, reanalyzing and revising the remaining fee categories. From this analysis, MCESD has concluded that the fees no longer provide sufficient revenue to cover the costs of the permitting programs and compliance with federal and state law. This discrepancy is due to an underestimation in 1993 of the

workload required to comply with Title V and MACT requirements as well as to inflation, the increased administrative requirements associated with regulatory reform, other rising costs and the nonattainment area downgrades to “serious”.

As a result of changes to the County’s enabling statutes in 1994, MCESD coordinated with the Arizona Department of Environmental Quality (ADEQ), Pinal County, and Pima County to examine air quality fees on a statewide basis. Following ADEQ’s fee revision in December 2001, MCESD held additional workshops, prepared a Notice of Proposed Rulemaking, and conducted an oral proceeding as required by A.R.S. §§49-471.04-06. The fees proposed in this action have not been revised since 1993. In response to concerns raised by industry, the Department is proposing to revise the structure of the fees. Some fees will remain the same or decrease slightly, but most fees will increase. Overall, fee revenue is estimated to increase by approximately \$500,000 per year as a result of this proposal.

Public hearing before the board of supervisors will be held tentatively on May 7.

**Rule 311 (Particulate Matter from Process Industries)**

**Rule 320 (Odors and Gaseous Air Contaminants)**

**Rule 322 (Power Plant Operations)**

**Rule 323 (Fossil Fuel Burning Combustion Equipment from Industrial- Commercial-Institutional Sources)**

The department has scheduled a public hearing for the final rulemaking package consisting of revised Rules 311 and 320 and New Rules 322 and 323. Rules 311 and 320 are being revised to address the sulfur oxide and particulate matter approvability issues that EPA had with these two rules. In addition, the fuel burning provisions in the current Rules 311 and 320 are outdated and will be replaced with fuel burning provisions in new Rules 322 and 323.

Public hearing before the board of supervisors will be held tentatively on June 4th.

**Rule 312 (Abrasive Blasting)**

The department has scheduled a public hearing for the final rulemaking package for Rule 312, Abrasive Blasting. Rule 312 is being revised due to EPA’s limited approval of Rule 312, Abrasive Blasting as published in the Federal Register Vol. 65, No. 133 on July 11, 2000. The deficient provision in subsection 302.4 allowed control officer discretion. MCESD corrected this deficiency, addressed the lack of recordkeeping and monitoring requirements and clarified and updated text by revising Rule 312. MCESD held additional workshops, prepared a Notice of Proposed Rulemaking, and conducted an oral proceeding as required by A.R.S. §§49-471.04-06

Public hearing before the board of supervisors will be held tentatively on June 18.